



# California Regional Water Quality Control Board San Diego Region



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March 24, 2011

In reply refer to: 04C-123: mporter

Certified Mail No. 7010 1060 0000 4952 8133

Mr. Matthew Tucker  
North County Transit District  
810 Mission Avenue  
Oceanside, CA 92054

File No.	04C-123
Reg. Measure ID:	176651
Place ID:	255661
Party ID:	31651
WDID:	9000001357

Dear Mr. Matthew Tucker:

**SUBJECT: Amendment No. 2 to Clean Water Act section 401 Water Quality Certification No. 04C-123 and Waste Discharge Requirements for Discharge of Dredged and/or Fill Materials**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the North County Transit District (NCTD) section 401 Water Quality Certification No. 04C-123 (Certification) for the Santa Margarita River Bridge Replacement and Second Track Project (Project). This decision is based on SANDAG's request and supporting materials received by the San Diego Water Board on March 16, 2011.

Amendment No. 2 is requested to allow the placement of 800-ft<sup>2</sup> (0.0184-acre, 87-linear feet) of additional fill (1/2 to 1-ton riprap) to increase the size of an existing, temporary fill pad in the Santa Margarita River. The temporary pad is needed to support equipment to construct the replacement and second railway bridges. The section 401 Water Quality Certification No. 04C-123 for the Santa Margarita Bridge Replacement and Second Track Project has been amended to reflect these changes. The amendments are included as Enclosure 1.

The heading portion of this letter includes a San Diego Water Board code number noted after "in reply to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

**California Environmental Protection Agency**

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If you have questions regarding this notification, please contact Mr. Mike Porter at (858) 467-2726 or [mporter@waterboards.ca.gov](mailto:mporter@waterboards.ca.gov).

Respectfully,



David W. Gibson  
Executive Officer  
San Diego Water Board

Enclosure

1. Amendment to Clean Water Act section 401 Water Quality Certification No. 04C-123 for Santa Margarita Bridge Replacement and Second Track Project

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**AMMENDMENT TO**

**CLEAN WATER ACT SECTION 401  
WATER QUALITY CERTIFICATION NO. 04C-123**

**FOR**

**SANTA MARGARITA BRIDGE REPLACEMENT AND SECOND TRACK PROJECT**

This amendment revises the Clean Water Act section 401 Water Quality Certification No. 04C-123 as shown below. Revisions shown in underline are additions, and revisions shown in ~~red strikethrough~~ are deletions.

**Additional Condition D. 1. Mitigation:**

1. Mitigation for permanent impacts to 0.025-acre of wetlands and 0.209-acre of streambed (271-linear feet) and temporary impacts to 0.112-acres of wetlands and ~~0.430-acre~~ 0.448-acre of streambed (~~585-linear feet~~ 672-linear feet) will be achieved as follows:
  - a. Mitigation for Permanent Impacts: The proposed project should result in a net benefit to coastal salt marsh (wetland) habitat by removing the existing railroad bridge approach trestle that currently spans coastal marsh habitat. Additionally, the permanent impact to streambed would be reduced from the existing condition as there will be less pier area in the streambed when the existing bridge is removed and replaced with the new bridge.

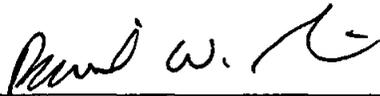
**Water Quality Certification is amended:**

**WATER QUALITY CERTIFICATION:**

I hereby certify that the proposed discharge from the **Santa Margarita Bridge Replacement and Second Track project** (Certification No. 04C-123) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredged or Fill Discharges that have Received State Water Quality Certification," which requires compliance with all conditions of this Water Quality Certification.

Please note that enrollment under this Order is conditional and, should new information come to attention that indicates a water quality problem, the Regional Board may issue waste discharge requirements at that time.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' project description and/or on the attached Project Information Sheet, and (b) on compliance with all applicable requirements of the Water Quality Control Plan for the San Diego Basin (9) (Basin Plan).



---

David W. Gibson  
Executive Officer  
San Diego Water Board

3 - 24 - 2011

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Date

Attachments:

1. Project Information [revised]
2. Distribution List
3. Location Map
4. Site Location Map - Proposed Temporary Fill Platforms Location [revised]

ATTACHMENT 1

PROJECT INFORMATION

Revised March 23, 2011

Applicant: Matthew Tucker, Executive Director  
North County Transit District  
810 Mission Avenue  
Oceanside, CA 92054  
760-967-2867  
fax: 760-967-0941  
Email: MTucker@nctd.org

Applicant  
Representatives: Erich Lathers, President  
BRG Consulting, Inc.  
304 Ivy Street  
San Diego, CA 92101  
619-298-7127  
fax:619-298-0146  
erich@brginc.net

Project Name: Santa Margarita River Bridge Replacement and Second  
Track  
project (401 Certification no. 04C-123)

Project Location: The proposed action is located along the Los Angeles to San  
Diego (LOSSAN) rail corridor, primarily within United States  
Marine Corps Base Camp Pendleton; however, the southern-  
most portion of the proposed action extends into the City of  
Oceanside. The northern project limit is located  
approximately 0.4 miles north of the Santa Margarita River at  
the Interstate 5 Northbound Stuart Overpass, which is located  
at Railroad Milepost (MP) 222.6. The southern project limit is  
Control Point (CP) East Brook at MP 225.3, which is just  
north of the San Luis Rey River (Figures 2 and 3). The Santa  
Margarita River Bridge is located at MP 223.1.

The center reading of the project is approximately located at  
latitude 33° 12' 30" north longitude and -117° 23' 30" east  
latitude.

Type of Project: Railroad improvements

Project Description: The proposed action consists of three primary components:

- 1) Replacement of the existing single-track Santa Margarita River Railroad Bridge with a new two-track bridge;
- 2) Construction of a 0.8 mile new second main track to connect two existing segments of doubletrack; and,
- 3) An upgrade and realignment of the existing Fallbrook Junction Passing Track (1.7 miles) for higher speed.

The proposed project involves the construction of a new railroad bridge and demolition of the existing railroad bridge that spans the Santa Margarita River and adjacent wetlands. The new two-track railroad bridge crossing will be constructed adjacent to the existing railroad bridge. The new 755-foot long bridge has a 500-foot main bridge spanning the river, and a 255-foot approach trestle spanning the tidal marsh to the south. The proposed main river structure is a 32-foot wide concrete box girder with spans of 150 feet - 200 feet - 150 feet. A permanent discharge of material will result from the construction of two concrete pier foundations.

Permanent piers for the Santa Margarita River railroad bridge will be constructed within temporary fill platforms within coffer dams. Access to the bridge work areas will be done in two phases. Phase 1 consists of the placement of approximately 5,000 cubic yards of temporary fill along the northern and southern banks of the Santa Margarita River to create temporary fill platforms. The temporary fill platforms will not extend beyond the approved limits of work. The temporary fill will be a granular native fill material and riprap. The two fill areas will be connected by an approximately 100 foot long temporary trestle structure that will maintain river and tidal flows during construction. The temporary trestle structure will be removed once Phase 1 is completed. Phase 2 consists of shifting the temporary fill placed during Phase 1 to facilitate demolition of the existing bridge structure. Following completion of the demolition, all temporary pier and piles along with the granular fill will be removed. Disturbed areas will be recontoured to pre-project conditions.

The new bridge design will result in less pier area within waters of the State/U.S. in the Santa Margarita River.

Other ancillary improvements include construction of new turnouts, modifications to signals, retained embankments, and drainage facilities. Proposed permanent improvements are primarily located within the existing railroad right-of-way (ROW); however, some embankment toes are proposed to extend into Caltrans ROW on Camp Pendleton property. Additionally, some of the temporary construction access and staging areas will be located outside of the railroad ROW within Camp Pendleton.

The existing Stuart Mesa Passing Track to the north of Santa Margarita River is 2.0 miles in length. The existing Fallbrook Junction Passing Track to the south, which will be upgraded as part of the proposed project, is 1.7 miles in length. Completion of the new double-track segment portion of the project will connect the Stuart Mesa Passing Track with the Fallbrook Junction Passing Track to provide a 4.5 mile segment of continuous double-track with maximum speeds between 75 and 90 miles per hour.

The proposed project will involve work in the Santa Margarita River, which is designated as Critical Habitat for the Tidewater Goby.

Federal  
Agency/Permit:

U.S. Army Corps of Engineers §404 Individual Permit and §10, USACE No. 200401049-RRS.

Meris Bantilan-Smith  
Telephone (808) 438-7701  
Email: Meris.Bantilan-Smith@usace.army.mil

U.S. Fish and Wildlife Service Section 7 consultation  
Janet Stuckrath, Telephone: 760 431-9440 (ext. 270),  
Email: Janet\_Stuckrath@fws.gov

Other Required  
Regulatory  
Approvals:

California Department of Fish and Game Streambed  
Alteration  
Approvals: Agreement is being sought for this project.

California Coastal Commission, Coastal Zone Management  
Act/California Coastal Act – Federal Coastal Consistency  
Certification No. CC-052-05 on 6/9/2005  
Larry Simon, Telephone: 415 904-5288,  
Email: LSimon@coastal.ca.gov

California  
Environmental  
Quality Act (CEQA)  
Compliance:

The North County Transit District (NCTD) holds that the project is statutorily exempt from CEQA in accordance with CEQA guidelines in Section 15275(a) because the project involves the replacement of an existing bridge railroad and provision of a second mainline rail track within an existing railroad right-of-way already in use, which will provide for improved passenger and commuter mass transit service.

CCR Title 14 Section 15275(a) reads:

15275. Specified Mass Transit Projects

CEQA does not apply to the following mass transit projects:

(a) The institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities.

Notably, in 2001 the City of Encinitas filed a series of legal actions seeking CEQA compliance for planned passing tracks in that City. A Federal Court remanded the case to the Federal Surface Transportation Board, who ruled in favor of NCTD. Encinitas then appealed to Federal District Court, and the two parties reached a Memorandum of Understanding prior to the court hearing.

Caltrans has completed a Draft Program EIR/EIS for the Los Angeles to San Diego (LOSSAN) corridor (SCH no. 2002031067). This program level document describes environmental impacts of improving the LOSSAN rail corridor in Los Angeles, Orange, and San Diego Counties over the next 20 years to help meet the increasing travel demand between and within these metropolitan areas. The Santa Margarita Bridge project is identified under the No Project Alternative in the Program EIR/EIS.

Receiving Water: Santa Margarita River (HSA 903.11)

Impacted Waters of  
the United States: Temporary:

Wetland 0.112 acres and 281 linear feet  
~~Streambed 0.430-acre and 585-linear feet~~  
Streambed 0.448-acre and 672-linear feet

Permanent:

Wetland 0.025 acres and 13 linear feet  
Streambed 0.209 acres and 271 linear feet

Related Projects  
Implemented/ to be  
Implemented by the  
Applicant(s):

This project is part of a larger regional rail corridor expansion plan. The applicant and the Metropolitan Transit Development Board own the LOSSAN rail corridor (Los Angeles to San Diego) and are preparing plans for double-tracking the remainder of the corridor. This project involves only a portion within Camp Pendleton. The majority of the remaining LOSSAN corridor is within municipalities to the north and south of the project area. The final alignment of the remainder of the double-track is undetermined at this time, but will certainly involve impacts to jurisdictional waters.

North County Transit District (NCTD) has completed the Amtrak San Onofre Second Main Line Project (Water Quality Certification No. 03C-108), the O'Neill-Los Flores Project (Water Quality Certification No. 04C-149), and the Oceanside Passing Track Extension Project (Water Quality Certification No. 07C-017).

As of May 2010, NCTD has identified design funding for several other double track projects in the vicinity of Camp Pendleton. These include:

1. San Onofre to Pulgas Double Track;
2. Agua Hedionda Bridge 230.6 (Water Quality Certification No. 09C-093), aka Carlsbad Double Track;
3. Sorrento Valley Double Track;
4. Sorrento to Miramar Curve Realignment and Second Main Track (Phase I) – Sorrento Valley to Near I-805;
5. Sorrento to Miramar Curve Realignment and Second Main Track (Phase II) – (Near I-805 to South of Miramar Road);  
and
6. Poinsettia Run Through Track.

Compensatory  
Mitigation:

1. Mitigation for Permanent Impacts: Over time, the proposed project should result in a net benefit to coastal salt marsh (wetland) habitat by removing the existing railroad bridge approach trestle that currently spans coastal marsh habitat. The net change would be a permanent increase of 0.08 acre of coastal salt marsh habitat. Additionally, the permanent

impact to streambed would be reduced from the existing condition as there will be less pier area in the streambed when the existing bridge is removed and replaced with the new bridge.

2. All temporary impacted areas will be restored to natural conditions.

3. Mitigation for temporal loss. Purchase of 1.0 acre of *Arundo* removal credits from the Mission Resources Conservation District

Conservation  
Measures:

Tidewater goby conservation measures - The Programmatic Biological Opinion 1-6-P-4123.2 includes Conservation Measure TWG1 for the endangered tidewater goby:

Blocking seines will be installed at least 50 feet upstream and downstream from the outer limits of the instream work footprint to minimize gobies from entering the work site during construction. After installing the blocking seines, all gobies will be seined from the work area by a permitted biologist and relocated to an area outside the perimeter of the blocking seines or coffer dams at the direction of the authorized goby biologist. Any non-native species will be destroyed.

For cofferdam installation: Prior to cofferdam(s) installation, blocking seines will be used as described previously to remove all tidewater gobies from within the boundaries of the blocking seines. After all gobies are removed, the cofferdam(s) will be installed within the inner limits of the blocking seines and the area within the cofferdams will be dewatered. After the cofferdam(s) is/are installed and dewatered, the blocking nets will be removed to allow tidewater gobies to move through the diversion area during construction activities. Blocking seines will be reinstalled and all tidewater gobies within the perimeter of the blocking seines will be removed prior to and during recovery of the cofferdam(s).

Best Management  
Practices:

NCTD will comply with the Statewide General NPDES permit for construction activities. Special attention will be paid to work within Santa Margarita River. Excavated materials will either be transferred into watertight open containers, placed on truck chassis and hauled to a suitable off-site facility, or the spoils will be pumped into Baker tanks located in upland

areas. Mechanisms will also be installed to prevent debris from falling into the water from bridge work.

Best Management Practices will be implemented to comply with the project Storm Water Pollution Prevention Plan (SWPPP) and prevent sedimentation of downstream areas resulting from project related activities.

Erosion and sediment controls will also be implemented to avoid discharge of sediment into known vernal pools along the track work area.

In addition, an ABASCO Type II turbidity curtain will be installed at the limits of temporary fill to prevent siltation and sedimentation of downstream areas. Fill, including native granular material and riprap, will be installed within the limits of the temporary fill areas. Upon completion of construction, and once silt and sediments have settled, the turbidity curtain will be removed. .

Vehicle maintenance, staging, storage, dispensing of fuel, and spoil sites will not be located within waters of the State/U.S. or in areas in such a manner where spoil material could be washed into waters of the State/U.S.

No post-construction treatment BMPs are necessary for this project.

**Public Notice:**

Receipt of the original application for the amendment to the project was posted on the San Diego Regional Water Quality Control Board website on October 12, 2004; and receipt of the application for the amendment to the project was posted on May 6, 2010 to serve as appropriate notification to the public.

**Fees:**

Total Due: \$2,607;  
Total Paid: \$2,607. (check Nos. 35555 and 38628):  
Amendment Total Due: \$640.00  
Amendment Total Paid: \$640.00 (check no. 1118)

ATTACHMENT 2

DISTRIBUTION LIST

Meris Bantilan-Smith  
U.S. Army Corps of Engineers  
6010 Hidden Valley Road, Suite 105  
Carlsbad, CA 92011  
Meris.Bantilan-Smith@usace.army.mil

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San Francisco, CA 94105-2219  
LSimon@coastal.ca.gov

Mr. Gabriel Buhr  
California Coastal Commission, San Diego Coast District  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108-4402  
Gbuhr@coastal.ca.gov

Janet Stuckrath  
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U.S. Fish and Wildlife Service  
Janet\_Stuckrath@fws.gov

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U.S. Environmental Protection Agency, Region 9  
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Bill Orme  
State Water Resources Control Board, Division of Water Quality  
401 Water Quality Certification and Wetlands Unit  
Stateboard401@waterboards.ca.gov

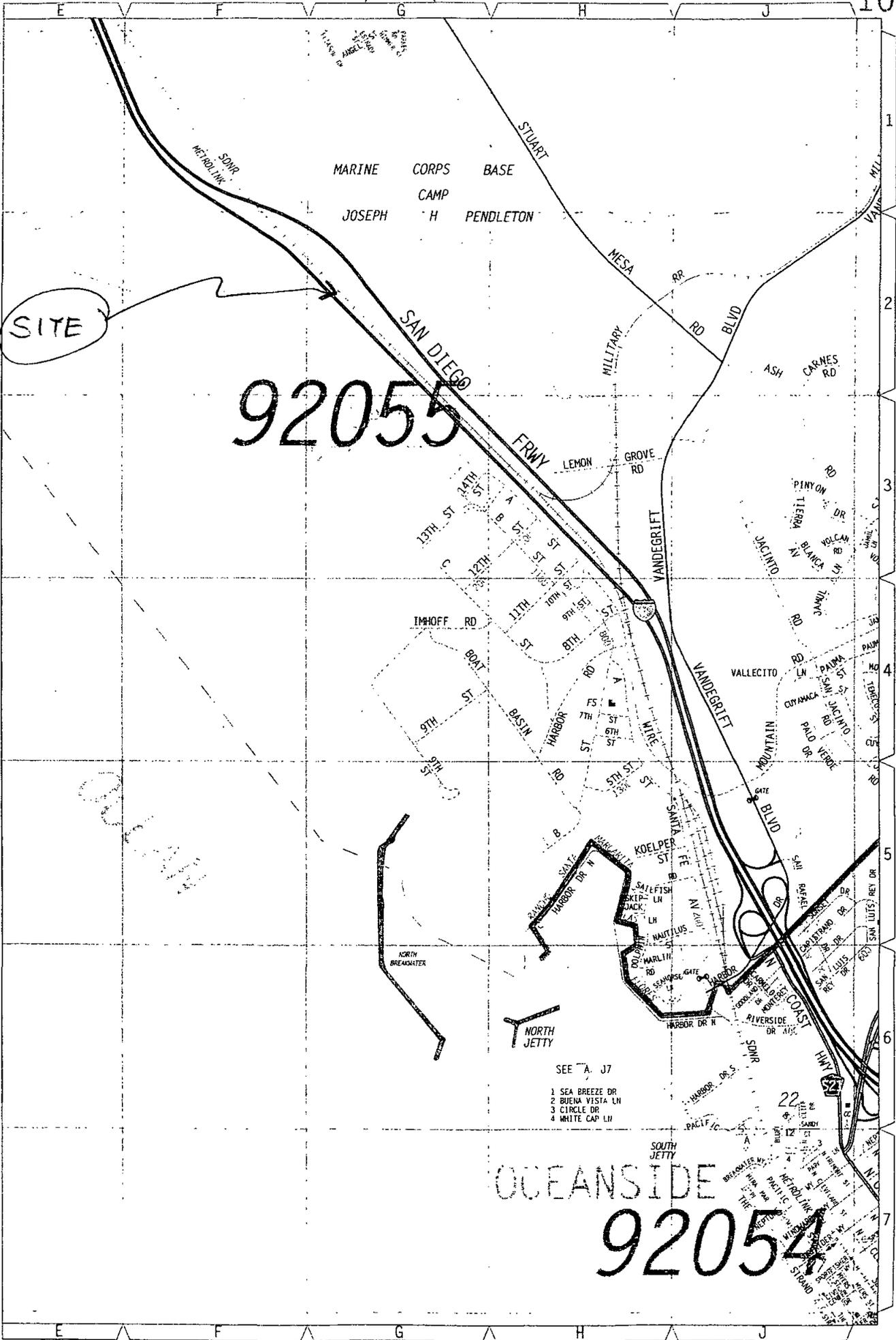
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erich@brginc.net

Mike Trotta  
LSA Associates, Inc.  
Mike.Trotta@lsa-assoc.com

ATTACHMENT 3

LOCATION MAP

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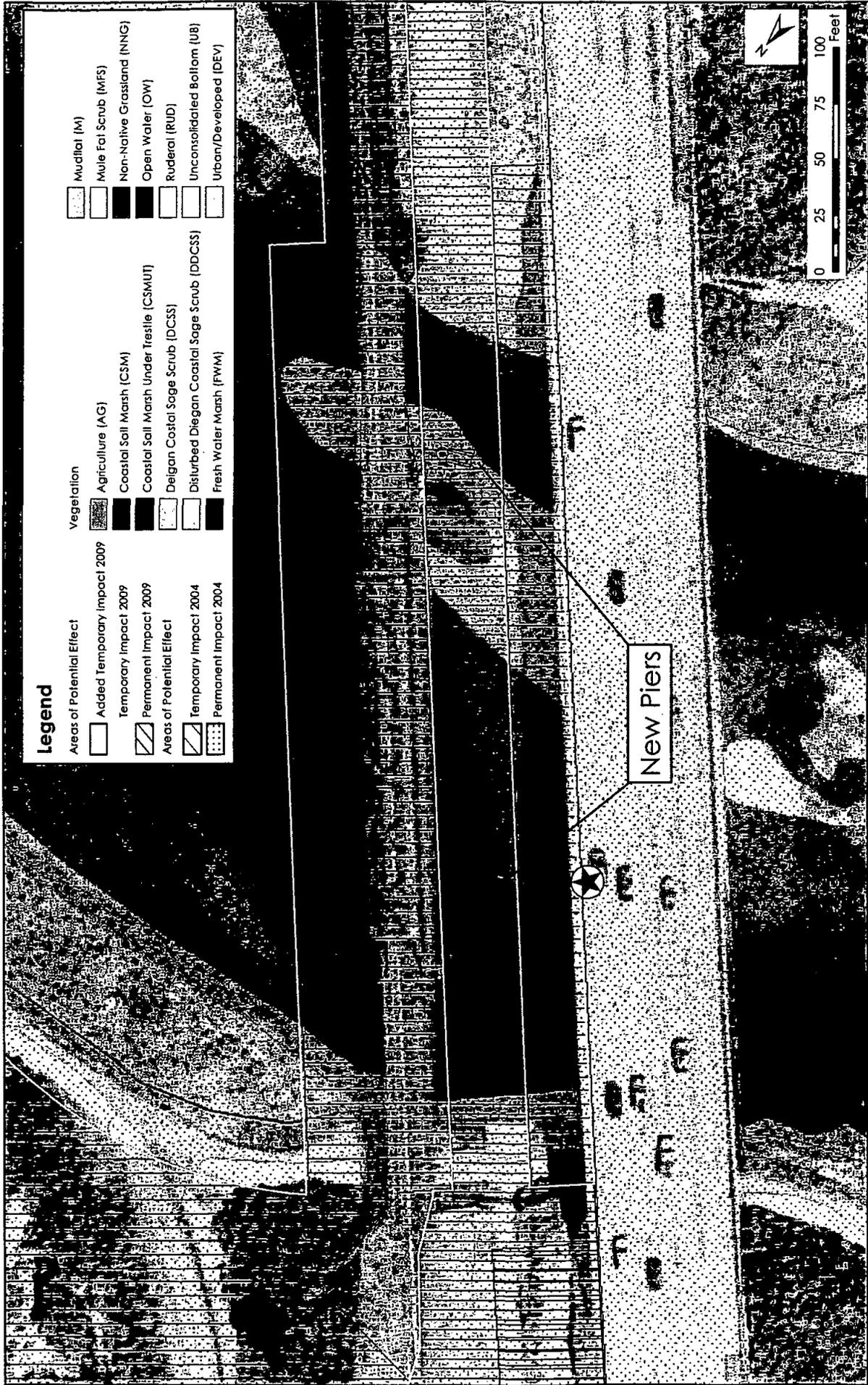
SITE

92055

92054

- SEE "A. J7"
- 1 SEA BREEZE DR
  - 2 BUENA VISTA LN
  - 3 CIRCLE DR
  - 4 WHITE CAP LN

ATTACHMENT 4  
SITE MAPS AND FIGURES



SOURCE: ESRI, 2011; BRG Consulting, Inc., 2011



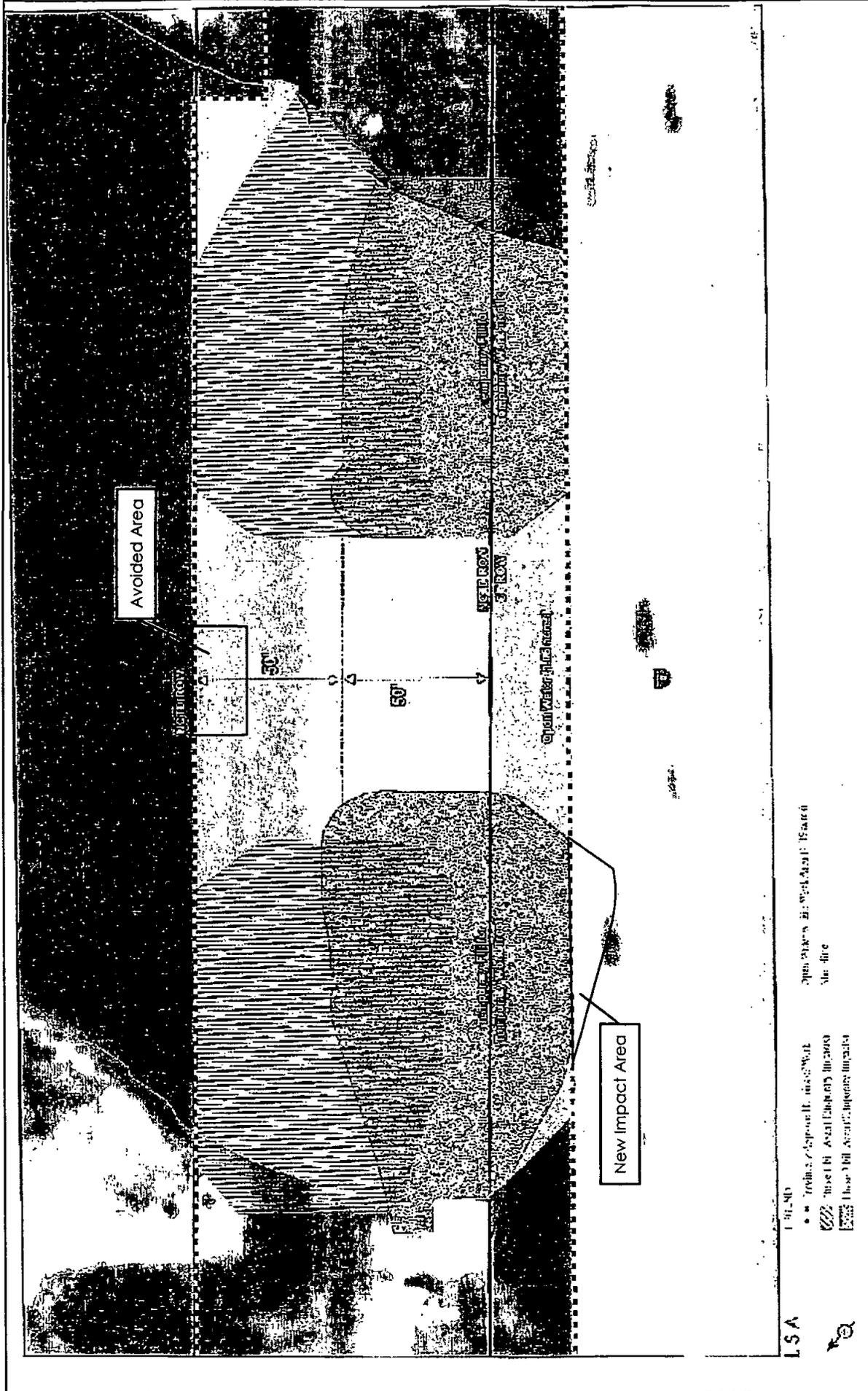
Santa Margarita River Bridge and Second Track Project

Additional Fill Area

FIGURE

1

3/3/11



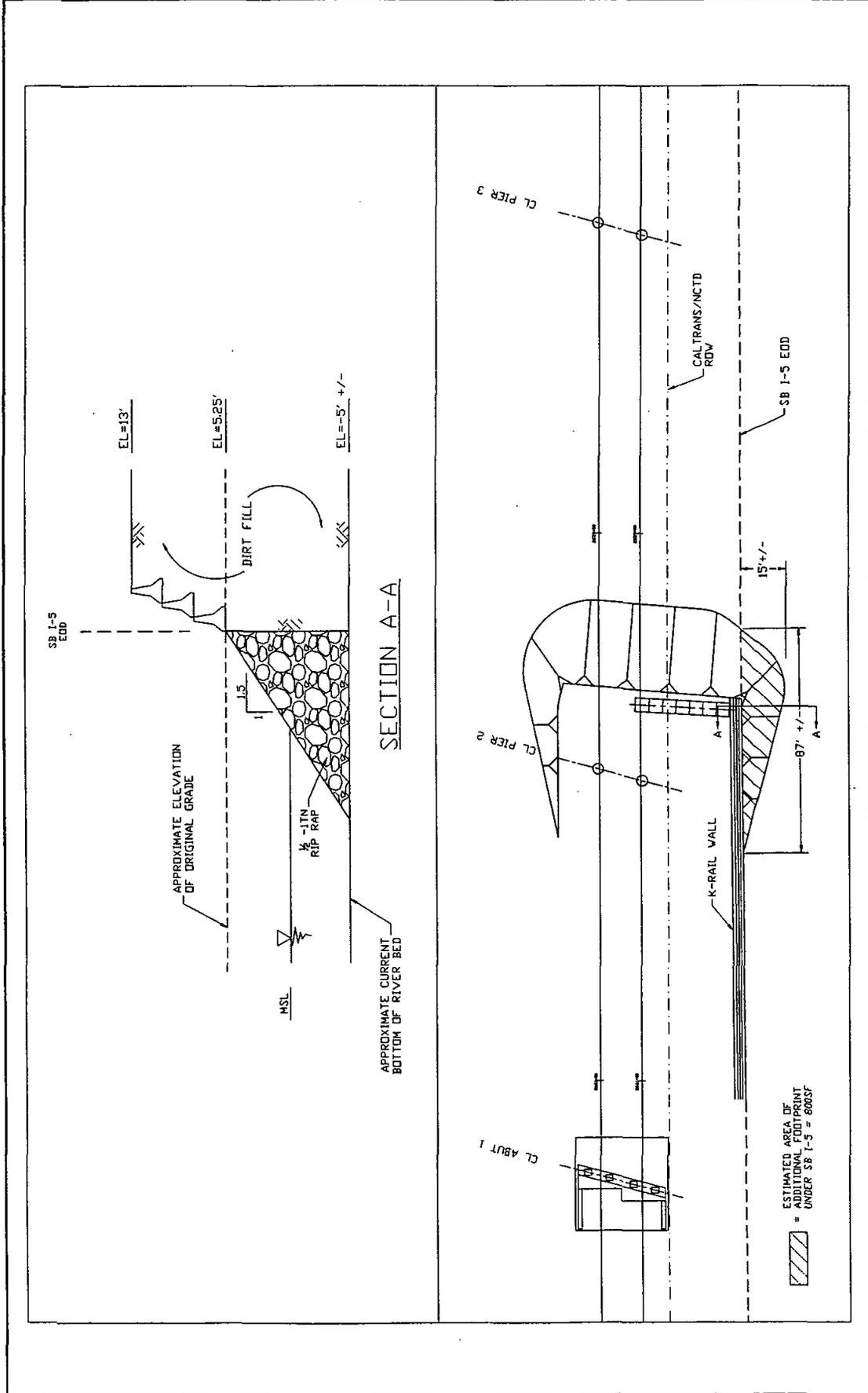
3/4/11

**FIGURE 2**

Santa Margarita River Bridge and Second Track Project  
Additional Fill Area

SOURCE: Digital Globe, 2005; Flatiron, 2010





3/3/11

FIGURE

3

Santa Margarita River Bridge and Second Track Project

Additional Fill, Plan View and Cross Section

SOURCE: Flatiron, 2010



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Matthew Tucker  
 North County Transit District  
 810 Mission Avenue  
 Oceanside, CA  
 92054

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 Addressee  
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